

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

STATE OF NEBRASKA,
STATE OF MISSOURI,
STATE OF ARKANSAS,
STATE OF IOWA,
STATE OF KANSAS, and
STATE OF SOUTH CAROLINA,

Plaintiffs,

v.

JOSEPH R. BIDEN, Jr.,
in his official capacity as the President of
the United States of America;

MIGUEL CARDONA, in his official
capacity as Secretary, United States
Department of Education; and

UNITED STATES DEPARTMENT OF
EDUCATION,

Defendants.

No. 4:22-cv-01040

**NOTICE REQUESTING HEARING ON
MOTION FOR TEMPORARY RESTRAINING ORDER**

Plaintiff States hereby request a hearing on their motion for a temporary restraining order on September 30 at 2:00 pm Central time (or anytime that afternoon) via teleconference, or as soon thereafter as may be heard.

Plaintiffs attempted to notify Defendants of the motion for a temporary restraining order. On September 29, 2022, at 12:22 pm Central time, Plaintiffs' counsel Michael Talent sent an email to Robert Merritt at the U.S. Department of Justice and Nicholas Llewellyn at the U.S. Attorney's Office in St. Louis. Mr. Merritt is counsel of record for the federal government in a similar

challenge to Defendants' mass debt cancellation program pending in the United States District Court for the Southern District of Indiana. That email included a copy of the complaint and notified the recipients of Plaintiffs' intent to file a motion for a temporary restraining order and to seek a hearing on that motion during the afternoon of September 30. Subsequently, Plaintiffs' counsel Michael Talent sent another email to Mr. Merritt and Mr. Llewellyn providing them with copies of the motion for temporary restraining order and the accompanying documents. Plaintiffs' counsel James Campbell also called Mr. Llewellyn and left him a voicemail. So far, Plaintiffs' attorneys have not yet heard back from either Mr. Merritt or Mr. Llewellyn. Given that, Plaintiffs do not know whether counsel will appear on behalf of Defendants at a hearing set for the afternoon of September 30.

Dated: September 29, 2022

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, on September 29, 2022, a true and correct copy of the foregoing and any attachments were filed electronically through the Court's CM/ECF system, to be served on counsel for all parties by operation of the Court's electronic filing system for all parties who have appeared and to be served on those parties who have not appeared in accordance with the Federal Rules of Civil Procedure or other means agreed to by the parties.

/s/ James A. Campbell
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